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Shai Stein

STEIN 11

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EXAMINER

MAPA, MICHAEL Y

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/587,931	<b>Applicant(s)</b> STEIN ET AL.	
	<b>Examiner</b> Michael Mapa	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 16 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 27 and 29-49 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 27 and 29-49 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 06/16/09 has been entered.

### ***Response to Amendment***

2. The applicant has amended the following:

Claims: 27, 35, 37, 41 have been amended.

Claims: 29-34, 36, 38-40 and 42-47 have not been amended.

Claims: 48-49 have been added.

Claims: 1-26 and 28 have been cancelled.

With regards to the claim objection and the 112 rejection on claim 46 from the previous office action, the applicant has provided arguments that are found to be persuasive. Therefore the examiner withdraws the claim objection and the 112 rejection on claim 46 from the previous office action.

***Response to Arguments***

3. Applicant's arguments filed 06/16/09 have been fully considered but they are not persuasive.

The applicant argues features wherein a method of supporting an incoming/outgoing mobile communication session in a combined communications network comprising a mobile network and a non-mobile access network; wherein in said mobile network, said mobile communication session is associated with a mobile number, the method comprising providing at an access node between the non-mobile and mobile network, an access device comprising a Digital Service Line Access Multiplexer (DSLAM) or an Optical Line Termination (OLT), the access device being in communication with a plurality of non mobile device in the non-mobile network and establishing direct connection and direct signaling and communications exchange between the access device and controller of the mobile network and providing the access device with a capability to perform functions of a base station with respect to at least one said mobile number of the mobile network so that the access device is recognized by the controller of the mobile network as a base station and by assignment in the access device, associating said mobile number with a non-mobile device of said non-mobile network wherein the non-mobile device being either a DECT-like device or a fixed device so that the access device becomes operative to represent said non-mobile device as having said mobile number and routing said mobile communication session, by said controller of the mobile network via said access device as via the base station

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as well as selectively conducting said mobile communication session either through the mobile device associated with the mobile number or through the non-mobile device associated with the mobile number in the non-mobile network.

Before addressing the applicant's arguments, the examiner would like to clarify the position taken with respect to the applied art:

Kil discloses a complex wireless service apparatus using wired and wireless communications systems for providing a wireless service using both wired and wireless communication system and maintaining the service as the user moves between networks, therefore supporting communications in a mobile and non-mobile network. Kil continues to disclose associating the mobile communication session with the mobile communication number and having an access gateway as a DSLAM wherein the gateway is connected to a landline phone and calls directed to a mobile number are transferred to a public phone number. Kil also discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks, therefore since the device performs the same functions as a base station it is recognized as a base station by the controller. Kil discloses handing off the call when the mobile device enters the range of the private network, therefore routing the communication session via the access device. In addition Kil discloses simultaneously ringing all terminals within the private network and performs a call service connection with the terminal that has made the incoming response, therefore selectively conducting a mobile communication session either through the mobile device or non mobile device. Kil fails to explicitly recite direct

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connection and direct signaling however it is commonly known in the art to incorporate the functionalities of separate devices into a single device in order to conserve system resources by having to maintain a single device only as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality.

In a related field of endeavor, Beyette discloses having a hybrid telephone network that utilizes both wireless and landline services, wherein a user can associate a cell phone telephone number with a landline telephone number so that an incoming call or a current call can be transferred to either cell phone or landline connection depending on the user preferences.

With regards to the applicants arguments that the prior art of record fails to disclose "direct connection and direct signaling & communication exchange between the access device and the mobile network controller" and that the gateway of Kil cannot be recognized as another base station since there is no direct connection there-between and therefore there is not such an access device disclosed in Kil which serves as a base station of a mobile network. The examiner respectfully disagrees. As is evident in the explanations provided within this office action, the prior art of record together with what is known in the art discloses the limitation of "direct connection and direct signaling

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& communication exchange between the access device and the mobile network

controller.” It is commonly known in the art for combining the functionalities of multiple devices into a single apparatus as can be seen for reference purposes only in

**Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein**

**after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041]**

**of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as**

**Juitt)**, wherein Juitt discloses an access point having gateway, router or other more

sophisticated processing functionality. Therefore it would have been obvious to one of

ordinary skill in the art to recognize the functionalities of the access gateway and the

access point to be incorporated with the softswitch/MGW (media gateway) for the

purpose of conserving system resources by having to maintain only a single apparatus

instead of multiple apparatus doing the same functionalities. Therefore a direct

connection is formed from the controller of the mobile network once the functionalities of

the access gateway and access point are incorporated into the softswitch/MGW. In

addition, Kil discloses performing handoffs whenever the mobile terminal moves into the

area of the private network, therefore Kil discloses a base station.

With regards to the applicant's arguments that "Kil does not even suggest such a

connection for routing mobile communication sessions usually carrying voice.” The

examiner respectfully disagrees. Kil discloses providing and maintaining the service

such as a call, voice and data services when the user moves from one network to

another in **Paragraph [0042] of Kil**. Therefore it would have been obvious to one of

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ordinary skill in the art that the teachings of Kil are directed towards a call, voice and data services for the purpose of providing system versatility by providing for all types of services.

With regards to the applicant's arguments that Beyette does not describe or illustrate any access device. The examiner respectfully disagrees. Beyette discloses CIMS and LIMS which together act as a telephone switchboard to route calls between the appropriate phones and a CIM (cell interface module) connects the cellphone to the wired telephone network through a CIM docking port, therefore the CIM and LIM act as both an access point and a gateway. Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the functionalities and teachings of Beyette for the purpose of reducing high subscription costs as taught by Beyette.

With regards to the applicant's arguments that the access device being simultaneously a base station of a mobile network and a centralized mediator for two or more pairs of mobile and non-mobile phones is described neither by Beyette nor by Kil. The examiner respectfully disagrees. As is evident in the explanation provided within this office action, the prior art of record together with what is known in the art discloses the claimed limitations. The prior art of record discloses the teachings of performing handoffs from the cellular network to a private network, therefore a base station and continues to disclose performing a simultaneous ringing operation for all terminals for an incoming call and performing a call service connection between the terminal that has



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made the incoming response and the outgoing terminal, therefore a mediator for two or more pairs of mobile and non-mobile phones.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 27, 29 – 47 and 49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kil et al. (US Patent Publication 2004/0196810 herein after referenced as Kil) in view of Beyette et al. (US Patent Publication 2004/0235518 herein after referenced as Beyette).

Regarding claim 27, Kil discloses “A method of supporting an incoming/outgoing mobile communication session in a combined communications network comprising a mobile network and a non- mobile access network” (**Paragraph [0042] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks**). Kil discloses “in said mobile network, said mobile communication session is associated with a mobile number” (**Paragraph [0105] of Kil**). Kil discloses “the method comprises: providing, at an access node between the non-mobile access network and

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the mobile network, an access device comprising, a Digital Service Line Access Multiplexer (DSLAM) or an Optical Line Termination (OLT), the access device--being in communication with a non-mobile device in the non-mobile access network” **(Fig. 1 & Paragraphs [0054]- [0055] of Kil, wherein Kil discloses an access gateway being a DSLAM and shows the gateway connected to a landline phone).** Kil discloses “providing the access device with a capability to perform functions of a base station with respect to at least one said mobile number of said mobile network so that the access device is recognized by the controller of the mobile network as a base station” **(Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks, therefore since it performs the same functions as a base station it is recognized as a base station by the controller when handoffs are performed).** Kil discloses “by assignment in the access device, associating said mobile number with a non-mobile device of said non-mobile network, wherein said non-mobile device being either a DECT- like device, or a fixed device” **(Fig. 1 & Paragraph [0105] of Kil, wherein Kil discloses a landline phone as well as disclosing calls directed to a mobile phone number to be transferred to the public phone number, therefore associating the mobile number with a fixed device).** Kil discloses “routing said mobile communication session, by said controller of the mobile network, via said access device as via the base station” **(Fig. 17 & Paragraphs [0280]-[0281] of Kil, wherein Kil discloses performing a handoff to the private network when the terminal moves to the area of the private network).**

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Kil discloses “selectively conducting said mobile communication session either through a mobile device associated with said mobile number in the mobile network, or through the non-mobile device associated with said mobile number in the non-mobile network” **(Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “establishing direct connection and direct signaling and communications exchange between the access device and a controller of the mobile network.” However, the examiner maintains that it is commonly known in the art to incorporate the functionalities of multiple devices into a single apparatus for the purpose of conserving the system resources by having a single apparatus doing multiple functionalities instead of multiple apparatus doing the same functionalities separately as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality. Kil discloses the access gateway to be a DSLAM and continues to disclose a softswitch/MGW (media gateway) to be connected to the access gateway and access

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point, therefore it would have been obvious to one of ordinary skill in the art to recognize the functionalities of the access gateway and the access point to be incorporated with the softswitch/MGW (media gateway) for the purpose of conserving system resources by having to maintain only a single apparatus instead of multiple apparatus doing the same functionalities.

Kil fails to explicitly recite “a plurality of non-mobile devices” and “so that the access device becomes operative to represent said non-mobile device of said plurality of non-mobile devices as having said mobile number.”

In a related field of endeavor, Beyette discloses “a plurality of non-mobile devices” and “and being operative to represent said non-mobile device of said plurality of non-mobile devices as having said mobile number” **(Paragraphs [0024] & [0026] of Beyette, wherein Beyette discloses a plurality of landline phones as well as disclosing using a landline phone to place a call through a cell phone, as well as disclosing using a landline phone to answer a call placed to a cellphone).**

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the teachings of Beyette for the purpose of combining the features of wireless telephone service and landline telephones in the home without incurring high subscription costs **(Paragraph [0006] of Beyette).**

Regarding claim 29, Kil in view of Beyette discloses “The method according to Claim 27, further comprising setting defaults at said access device, for routing of communication sessions” **(Paragraph [0237] – [0238] & [0280]-[0281] of Kil, wherein**

**Kil discloses routing the call to the first terminal that answers as well as handing off the call when the mobile enters the range of the private network).**

Regarding claim 30, Kil in view of Beyette discloses “The method according to Claim 27, further comprising providing the controller of the mobile network with a capability of giving preference to said access device for routing there-through the mobile communication session to said non-mobile device” **(Paragraph [0039] of Beyette, wherein Beyette discloses associating the cell phone number with the landline number so that the call is first provided to a landline phone).**

Regarding claim 31, Kil in view of Beyette discloses “The method according to Claim 27, comprising storing the mobile number in the access device with indicating association of said mobile number with the non-mobile device of said non-mobile network” **(Paragraphs [0055] & [0105] of Kil & Paragraph [0039] of Beyette, wherein both Kil and Beyette discloses associating the mobile number with the non mobile device).**

Regarding claim 32, Kil in view of Beyette discloses “The method according to Claim 27, wherein said mobile telephone number is a single number to both said mobile device and said non-mobile device” **(Paragraph [0237] – [0238] of Kil, wherein Kil discloses ringing the terminals within the network simultaneously, therefore the mobile and non mobile device have a single number).**

Regarding claim 33, Kil in view of Beyette discloses “The method according to Claim 27, wherein the mobile device has the mobile number and the non- mobile device has a non-mobile number assigned in the access device, wherein said access device

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associates the mobile number and the non-mobile number with one another”

**(Paragraph [0039] of Beyette, wherein Beyette discloses associating the cell number with a landline number).**

Regarding claim 34, Kil in view of Beyette discloses “The method according to Claim 27, comprising a step of transferring said communication session in progress from the non-mobile device to the mobile device, and vice versa” **(Paragraph [0038] of Beyette).**

Regarding claim 35, Kil discloses “A method of supporting a mobile communication session in a combined network comprising a mobile network, a non-mobile access network” **(Paragraph [0042] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks).** Kil discloses “and an access device placed there-between and comprising a Digital Service Line Access Multiplexer (DSLAM) or an Optical Line Termination (OLT)” **(Fig. 1 & Paragraph [0055] of Kil, wherein Kil discloses an access gateway as being a DSLAM).** Kil discloses “and being capable of performing functions of a base station of the mobile network” **(Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks).** Kil discloses “the method comprising routing said mobile communication session via the access device as via the base station” **(Fig. 17 & Paragraphs [0280]-[0281] of Kil, wherein Kil discloses performing a handoff to the private network when the**

**terminal moves to the area of the private network).** Kil discloses “selectively conducting said mobile communication session either through a mobile device of the mobile network, or through a non-mobile device of the non-mobile network” (**Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “wherein the access device performing direct signaling and communications exchange with a controller of the mobile network.” However, the examiner maintains that it is commonly known in the art to incorporate the functionalities of multiple devices into a single apparatus for the purpose of conserving the system resources by having a single apparatus doing multiple functionalities instead of multiple apparatus doing the same functionalities separately as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality. Kil discloses the access gateway to be a DSLAM and continues to disclose a softswitch/MGW (media gateway) to be connected to the access gateway and access point, therefore it would

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have been obvious to one of ordinary skill in the art to recognize the functionalities of the access gateway and the access point to be incorporated with the softswitch/MGW (media gateway) for the purpose of conserving system resources by having to maintain only a single apparatus instead of multiple apparatus doing the same functionalities.

Kil fails to explicitly recite “with a possibility of re-routing, during said mobile communication session, from the mobile device to the non-mobile device or vice versa, wherein said mobile device and said non-mobile device are two separate devices.”

In a related field of endeavor, Beyette discloses “with a possibility of re-routing, during said mobile communication session, from the mobile device to the non-mobile device or vice versa, wherein said mobile device and said non-mobile device are two separate devices” **(Paragraph [0038] of Beyette, wherein Beyette discloses switching from landline service to wireless service or vice versa).**

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the teachings of Beyette for the purpose of combining the features of wireless telephone service and landline telephones in the home without incurring high subscription costs **(Paragraph [0006] of Beyette).**

Regarding claim 36, Kil in view of Beyette discloses “The method according to Claim 35, wherein the step of rerouting is preceded by obtaining a suggestion to reroute the communication session” **(Paragraph [0038] of Beyette, wherein Beyette discloses sending an indication for continuation of the call).**

Regarding claim 37, Kil discloses “A method of supporting a mobile communication session in a combined communications network comprising a mobile



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network and a non-mobile access network” (**Paragraph [0042] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks**). Kil discloses “and an access device placed there-between and comprising a Digital Service Line Access Multiplexer (DSLAM) or an Optical Line Termination (OLT) )” (**Fig. 1 & Paragraph [0055] of Kil, wherein Kil discloses an access gateway as being a DSLAM**). Kil discloses “the method comprises: providing the access device with a capability to perform functions of a base station with respect to at least some mobile numbers of said mobile network” (**Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks**). Kil discloses “routing said mobile communications session via the access device as via the base station” (**Fig. 17 & Paragraphs [0280]-[0281] of Kil, wherein Kil discloses performing a handoff to the private network when the terminal moves to the area of the private network**). Kil discloses “wherein said session is associated with one of said at least some mobile numbers” (**Fig. 1 & Paragraph [0105] of Kil, wherein Kil discloses a landline phone as well as disclosing calls directed to a mobile phone number to be transferred to the public phone number, therefore associating the mobile number with a fixed device**). Kil discloses “selectively conducting said mobile communications session either through a mobile device associated with said one mobile number in the mobile network, or through a non-mobile device of the non-mobile access network, being represented by

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the access device as having said one mobile number” **(Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “establishing direct signaling and communications exchange between the access device and a controller of the mobile network.” However, the examiner maintains that it is commonly known in the art to incorporate the functionalities of multiple devices into a single apparatus for the purpose of conserving the system resources by having a single apparatus doing multiple functionalities instead of multiple apparatus doing the same functionalities separately as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality. Kil discloses the access gateway to be a DSLAM and continues to disclose a softswitch/MGW (media gateway) to be connected to the access gateway and access point, therefore it would have been obvious to one of ordinary skill in the art to recognize the functionalities of the access gateway and the access point to be incorporated with the softswitch/MGW

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(media gateway) for the purpose of conserving system resources by having to maintain only a single apparatus instead of multiple apparatus doing the same functionalities.

Kil fails to explicitly recite “providing the access device with a capability to represent at least some non-mobile devices of the non-mobile network as respectively having said at least some mobile numbers.”

In a related field of endeavor, Beyette discloses “providing the access device with a capability to represent at least some non-mobile devices of the non-mobile network as respectively having said at least some mobile numbers” **(Paragraphs [0024] & [0026] of Beyette, wherein Beyette discloses a plurality of landline phones as well as disclosing using a landline phone to place a call through a cell phone, as well as disclosing using a landline phone to answer a call placed to a cellphone).**

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the teachings of Beyette for the purpose of combining the features of wireless telephone service and landline telephones in the home without incurring high subscription costs **(Paragraph [0006] of Beyette).**

Regarding claim 38, Kil in view of Beyette discloses “The method according to Claim 36, wherein the suggestion of rerouting is applied from the mobile device or the non-mobile device presently not engaged with the communication session” **(Paragraph [0038] of Beyette, wherein Beyette discloses an indication to be sent to switch from landline to wireless service upon replacement of the landline phone into the cradle and removal of the cellphone from the CIM).**

Regarding claim 39, Kil in view of Beyette discloses “The method according to Claim 36, wherein the step of obtaining the suggestion of rerouting is performed non-automatically and initiated by a user from the mobile device or the non-mobile device” **(Paragraph [0038] of Beyette, wherein Beyette discloses an indication to be sent to switch from landline to wireless service upon replacement of the landline phone into the cradle and removal of the cellphone from the CIM, therefore it is performed non-automatically and initiated by the user since the user first needs to replace the landline phone into the cradle before an indication is sent).**

Regarding claim 40, Kil in view of Beyette discloses “The method according to Claim 35, wherein the step of rerouting is preceded by determining proximity of the mobile device to the non-mobile device” **(Paragraphs [0279] – [0280] of Kil & Paragraph [0037] of Beyette, wherein Kil discloses sensing the mobile device entering the private network and Beyette discloses the user entering the building and placing the cellphone into the CIM).**

Regarding claim 41, Kil discloses “An access device for serving a non- mobile access network comprising DECT- and/or e fixed non- mobile devices, wherein said non-mobile network being part of a combined communications network also comprising a mobile network, wherein the access device comprising a Digital Service Line Access Multiplexer (DSLAM) or an Optical Line Termination (OLT)” **(Fig. 1 & Paragraphs [0042] & [0054]-[0055] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks and Kil discloses an access gateway being a**

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**DSLAM and shows the gateway connected to a landline phone).** Kil discloses “the access device being adapted to communicate with a non-mobile device of the non-mobile network and with said controller of said mobile network” **(Fig.1 & Paragraphs [0237]-[0238] of Kil, wherein Kil discloses the access gateway being communicating with a landline phone and the MSC and performing a call service connection with the terminals in the private network).** Kil discloses “the access device is being recognizable by the controller of the mobile network as another base station of the mobile network and is capable of performing, at least partially, functions of a base station of the mobile network for at least said mobile number of said mobile network” **(Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks, therefore since it performs the same functions as a base station it is recognized as a base station by the controller when handoffs are performed).** Kil discloses “by allowing routing, via said access device, of a mobile communication session associated in said mobile network with said mobile number” **(Fig. 17 & Paragraphs [0280]-[0281] of Kil, wherein Kil discloses performing a handoff to the private network when the terminal moves to the area of the private network).** Kil discloses “and by selectively conducting said mobile communication session either through a mobile device associated with said mobile number, or through the non-mobile device of the non-mobile network, presented by the access device as having said mobile number” **(Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses**

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**performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “adapted to maintain direct signaling and communications exchange with a controller of the mobile network.” However, the examiner maintains that it is commonly known in the art to incorporate the functionalities of multiple devices into a single apparatus for the purpose of conserving the system resources by having a single apparatus doing multiple functionalities instead of multiple apparatus doing the same functionalities separately as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality. Kil discloses the access gateway to be a DSLAM and continues to disclose a softswitch/MGW (media gateway) to be connected to the access gateway and access point, therefore it would have been obvious to one of ordinary skill in the art to recognize the functionalities of the access gateway and the access point to be incorporated with the softswitch/MGW (media gateway) for the purpose of conserving system resources by having to maintain only a single apparatus instead of multiple apparatus doing the same functionalities.

Kil fails to explicitly recite “a plurality of non-mobile device” and “and to represent a non-mobile device of said plurality of non-mobile devices as having a mobile number of the mobile network.”

In a related field of endeavor, Beyette discloses “a plurality of non-mobile device” and “and to represent a non-mobile device of said plurality of non-mobile devices as having a mobile number of the mobile network” **(Paragraphs [0024] & [0026] of Beyette, wherein Beyette discloses a plurality of landline phones as well as disclosing using a landline phone to place a call through a cell phone, as well as disclosing using a landline phone to answer a call placed to a cellphone).**

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the teachings of Beyette for the purpose of combining the features of wireless telephone service and landline telephones in the home without incurring high subscription costs **(Paragraph [0006] of Beyette).**

Regarding claim 42, Kil in view of Beyette discloses “The access device according to Claim 41, wherein the mobile number belonging to said mobile network is stored in said access device as a number that is associated with a non-mobile device connected to said non-mobile network, and wherein said non-mobile device is also associated with a non-mobile number” **(Paragraph [0039] of Beyette, wherein Beyette discloses associating a cell phone number with a landline telephone number).**

Regarding claim 43, Kil in view of Beyette discloses “The access device according to claim 42, allowing said mobile communication session, being initially conducted through either said non-mobile device or a mobile device associated with

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said mobile number, to be continued by using the other of said mobile device or said non-mobile device, according to selection of a user” **(Paragraphs [0037] - [0038] of Beyette, wherein Beyette discloses the user transferring from wireless to landline service and vice versa by replacement of the handset of the landline phone into its cradle and removal of the cellphone form the CIM).**

Regarding claim 44, Kil in view of Beyette discloses “The access device according to claim 41, being connectable with said non-mobile access network and with the controller of said mobile network to enable digital communication” **(Fig. 1 & Paragraph [0055] of Kil).** Kil in view of Beyette discloses “being capable of converting communication protocols from at least one protocol used in said mobile network to at least one protocol used in said non-mobile network, and vice versa” **(Paragraph [0038] of Beyette, wherein Beyette discloses switching from a landline service to a wireless service).**

Kil in view of Beyette discloses “being provided with a functional unit performing functions similar to that of a base station of said mobile network, including: enabling storing at the access device at least one said mobile number assigned to a mobile device, in association with at least one said non-mobile device” **(Fig. 1 & Paragraphs [0055] & [0105] of Kil & Paragraph [0039] of Beyette, wherein both Kil and Beyette discloses associating the mobile number with the non mobile device).** Kil in view of Beyette discloses “monitoring and processing signaling sessions and communications sessions associated with said mobile telephone number” **(Paragraph [0139] & [0152] & [0280]-[0281] of Kil, wherein Kil discloses monitoring if the**



**terminal moves to the wireless service area or to the service area of the private network).**

Regarding claim 45, Kil in view of Beyette discloses “The access device according to Claim 41, capable of indirectly determining proximity, to said non- mobile device, of a mobile device associated with said mobile telephone number in the mobile network” **(Paragraph [0038] of Beyette, wherein Beyette discloses replacing the landline phone into the cradle and subsequent removal of the cellphone from the CIM, therefore it senses the proximity indirectly).**

Regarding claim 46, Kil discloses “A system operative to support a communication session in a combined communications network” **(Paragraph [0042] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks).** Kil discloses “the system comprising at least one non-mobile network connected to said access device and comprising at least one non-mobile device, and at least one mobile communications network associated with at least one mobile device and having a controller of the mobile network and operative to establish digital communication with said access device” **(Fig. 9 & Paragraph [0055] of Kil).**

Kil in view of Beyette discloses “the system comprising at least one access device according to Claim 41” and “a controller of the mobile network directly connected to said access device” **(see arguments provided above for claim 41).**

Regarding claim 47, Kil in view of Beyette discloses “The access device according to claim 41, allowing said mobile communication session to be conducted via

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either said non-mobile device or a mobile device associated with said mobile number, according to selection of a user” **(Paragraphs [0037] - [0038] of Beyette, wherein Beyette discloses the user selecting whether to use the landline or cellphone by the replacement of the landline phone on the cradle).**

Regarding claim 49, Kil discloses “The access device according to Claim 48, being adapted to: perform functions of a base station with respect to at least some mobile numbers of said mobile network” **(Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more terminals as well as disclosing performing handoffs when the mobile moves between networks).** Kil discloses “selectively conduct said mobile communications session associated with one of said at least some mobile numbers either through the mobile device associated with said one mobile number in the mobile network, or through the non-mobile device of the non-mobile access network, being represented by the access device as having said one mobile number” **(Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “represent at least some non-mobile devices of the non-mobile network as respectively having said at least some mobile numbers.”

In a related field of endeavor, Beyette discloses “represent at least some non-mobile devices of the non-mobile network as respectively having said at least some

mobile numbers” **(Paragraphs [0024] & [0026] of Beyette, wherein Beyette discloses a plurality of landline phones as well as disclosing using a landline phone to place a call through a cell phone, as well as disclosing using a landline phone to answer a call placed to a cellphone).**

Therefore it would have been obvious to one of ordinary skill in the art to modify the invention of Kil to incorporate the teachings of Beyette for the purpose of combining the features of wireless telephone service and landline telephones in the home without incurring high subscription costs **(Paragraph [0006] of Beyette).**

6. Claim 48 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kil et al. (US Patent Publication 2004/0196810 herein after referenced as Kil).

Regarding claim 48, Kil discloses “An access device of a non-mobile access network for serving in a combined communication network comprising the non-mobile access network and a mobile network, the access device: comprising a DSLAM or an OLT)” **(Fig. 1 & Paragraphs [0042] & [0054]-[0055] of Kil, wherein Kil discloses providing a wireless service using a wired and wireless communication system and maintaining the service as the user moves between networks and Kil discloses an access gateway being a DSLAM and shows the gateway connected to a landline phone).** Kil discloses “being capable of performing, at least partially, functions of a base station of the mobile network; being recognizable by said controller as a base station of the mobile network” **(Fig. 1 & Paragraphs [0055] & [0279]-[0282] of Kil, wherein Kil discloses selectively transmitting information to one or more**

**terminals as well as disclosing performing handoffs when the mobile moves between networks, therefore since it performs the same functions as a base station it is recognized as a base station by the controller when handoffs are performed).** Kil discloses “being adapted to routing there-through a mobile communication session” **(Fig. 17 & Paragraphs [0280]-[0281] of Kil, wherein Kil discloses performing a handoff to the private network when the terminal moves to the area of the private network).** Kil discloses “and to selectively conducting said mobile communication session either through a mobile device of the mobile network, or through a non-mobile device of the non- mobile network” **(Fig. 17 & Paragraphs [0280]-[0281] & [0237]-[0238] of Kil, wherein Kil discloses performing a handoff to the private network when in the coverage of the private network and discloses ringing all terminals simultaneously within the private network and performs a call service connection with the terminal that has made the incoming response).**

Kil fails to explicitly recite “adapted to maintain direct signaling and communications exchange with a controller of the mobile network.” However, the examiner maintains that it is commonly known in the art to incorporate the functionalities of multiple devices into a single apparatus for the purpose of conserving the system resources by having a single apparatus doing multiple functionalities instead of multiple apparatus doing the same functionalities separately as can be seen for reference purposes only in **Paragraph [0006] of Jenkins et al. (US Patent Publication 2004/0221029 herein after referenced as Jenkins)**, wherein Jenkins discloses a multicast capable BLC that combines the functionality of a DSLAM and a media

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gateway and in **Paragraph [0041] of Juitt et al. (US Patent Publication 2003/0087629 herein after referenced as Juitt)**, wherein Juitt discloses an access point having gateway, router or other more sophisticated processing functionality. Kil discloses the access gateway to be a DSLAM and continues to disclose a softswitch/MGW (media gateway) to be connected to the access gateway and access point, therefore it would have been obvious to one of ordinary skill in the art to recognize the functionalities of the access gateway and the access point to be incorporated with the softswitch/MGW (media gateway) for the purpose of conserving system resources by having to maintain only a single apparatus instead of multiple apparatus doing the same functionalities.

### ***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Mapa whose telephone number is (571)270-5540. The examiner can normally be reached on MONDAY TO THURSDAY 8:00AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on (571)272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael Mapa/  
Examiner, Art Unit 2617

/Dwayne D. Bost/  
Supervisory Patent Examiner,  
Art Unit 2617